

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RICHARD LEE SPANGLER,

Petitioner,

CASE NO. 05-60171
HON. JOHN CORBETT O'MEARA

v.

BARRY D. DAVIS,

Respondent,

ORDER

Before the Court is Magistrate Judge Paul J. Komives' report and recommendation, filed August 15, 2008; Petitioner's motion for enlargement of time, filed August 27, 2008; and Richard Kent's motion to withdraw as attorney for petitioner, filed August 28, 2008. The Court being fully advised in the premises;

IT IS HEREBY ORDERED that Petitioner's motion for enlargement of time is DENIED.

IT IS FURTHER ORDERED that Richard Kent's motion to withdraw as attorney is GRANTED.

IT IS FURTHER ORDERED that the August 15, 2008, Report and Recommendation is accepted and adopted as the findings and conclusions of this Court, and the Petition for Writ of Habeas Corpus is DENIED.

s/John Corbett O'Meara
United States District Judge

Date: September 5, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, September 5, 2008, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager